

No. 24-1098

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

BRITA LP,

Appellant,

v.

INTERNATIONAL TRADE COMMISSION,

Appellee,

ZERO TECHNOLOGIES, LLC, CULLIGAN INTERNATIONAL CO., VESTERGAARD
FRANDSEN INC., d/b/a Lifestraw, KAZ USA, INC., HELEN OF TROY LIMITED,

Intervenors.

Appeal from the United States International Trade Commission,
Investigation No. 337-TA-1294.

**BRITA LP'S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE THE OPENING BRIEF**

Appellant Brita LP moves under Federal Circuit Rule 26(b) for a 35-day extension of time in which to file the opening brief, to and including Friday, March 15, 2024. Appellant's opening brief currently is due Friday, February 9, 2024. This is the first request for an extension of time to file the opening brief. Counsel for appellee and intervenors stated that they do not oppose the requested extension and will not file a response.

Good cause exists for the requested extension. Counsel for Brita have several other matters pending in this and other courts. Counsel recently filed a reply brief on January 10 in *In re: Entresto (Sacubitril/Valsartan)*, Nos. 23-2218, -2219, -2220, -2221, -2260 (Fed. Cir.); and replies in support of motions for post-judgment relief on January 12 in *Streamscale, Inc. v. Cloudera, Inc.*, No. 6:21-cv-00198 (W.D. Tex.). Further, counsel currently have a response brief due February 5 in *Cirba Inc. v. VMware, Inc.*, No. 23-1770 (Fed. Cir.); an opening brief due February 5 in *Apple Inc. v. MemoryWeb LLC*, Nos. 23-2361, -1043, -1050 (Fed. Cir.); oral argument on February 12 in *Teradata Corporation, et al. v. SAP SE, et al.*, No. 23-16065 (9th Cir.); a reply brief due February 20 in *C.R. Bard, Inc. v. AngioDynamics, Inc.*, No. 23-2056 (Fed. Cir.); a response and reply brief due February 28 in *C.R. Bard, Inc. v. Atrium Medical Corporation*, Nos. 23-16020, -16051 (9th Cir.); an opening brief due March 4 in *Natera, Inc. v. NeoGenomics Laboratories, Inc.*, No. 24-1324 (Fed. Cir.); oral argument on March 4 in *Celanese International Corporation v. ITC*, No. 22-1827 (Fed. Cir.); oral argument on March 5 in *Toyo Tire Corp. v. Atturo Tire Corporation*, Nos. 22-1817, -1892 (Fed. Cir.); and a response and reply brief due March 13 in *Fate Therapeutics, Inc. v. Shoreline Biosciences, Inc.*, Nos. 24-1021, -1055 (Fed. Cir.).

For these reasons, Brita respectfully requests that the Court grant an extension of time, to and including Friday, March 15, 2024, in which to file the opening brief.

Dated: January 23, 2024

Respectfully submitted,

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/s/ Deanne E. Maynard
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Counsel for Brita LP

CERTIFICATE OF INTEREST

Counsel for Brita LP certify under Federal Circuit Rule 47.4 that the following information is accurate and complete to the best of their knowledge:

1. **Represented Entities.** Provide the full names of all entities represented by undersigned counsel in this case.

Brita LP

2. **Real Parties in Interest.** Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities.

None.

3. **Parent Corporations and Stockholders.** Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities.

The Clorox Company

4. **Legal Representatives.** List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court.

STERNE, KESSLER, GOLDSTEIN & FOX, PLLC: Uma Everett, Josephine Kim, Kyle E. Conklin, Deborah Sterling, Lauren Watt, Robert Niemeier, Davin Guinn, Robert Stout, Christopher Gallo, John Christopher Rozendaal, Byron Pickard, Kristina Kelley, Kathleen E. Willis

5. **Related Cases.** Other than the originating case(s) for this case, are there related or prior cases that meet the criteria under Fed. Cir. R. 47.5(a)?

Yes, see separately filed notice.

6. **Organizational Victims and Bankruptcy Cases.** Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees).

Not applicable.

Dated: January 23, 2024

/s/ Deanne E. Maynard

Deanne E. Maynard

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Intervenors.

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**DECLARATION OF DEANNE E. MAYNARD IN SUPPORT OF
BRITA LP'S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE THE OPENING BRIEF**

I, Deanne E. Maynard, hereby declare under penalty of perjury under
28 U.S.C. § 1746:

1. I am an attorney duly licensed to practice law in the District of
Columbia and the state of Virginia, and I am admitted to practice before this Court.
I am a partner with the law firm of Morrison & Foerster LLP, and counsel of record
for appellant Brita LP in this appeal. I make this declaration in support of Brita's

unopposed motion for a 35-day extension of time in which to file the opening brief, from Friday, February 9, 2024, to Friday, March 15, 2024.

2. All of the facts set out in the motion are, to the best of my knowledge, true and correct, and are based on my personal knowledge.

Executed on this 23rd day of January, 2024.

/s/ Deanne E. Maynard

Deanne E. Maynard

CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing motion complies with the type-volume limitations of Federal Rules of Appellate Procedure 27 and 32 because it contains 333 words.

This motion complies with the typeface requirement of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface, including serifs, using Microsoft Word 2022 in Times New Roman 14-point font.

Dated: January 23, 2024

/s/ Deanne E. Maynard